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Sacramento County Pesticide Regulatory Program 2006/2007 Performance Evaluation Report

**California Environmental Protection Agency
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Performance Evaluation of the Sacramento County Agricultural Commissioner Pesticide Use Enforcement Program

This report provides a performance evaluation of Sacramento County Agricultural Commissioner's (CAC's) pesticide use enforcement (PUE) program for fiscal year (FY) 2006/2007. The assessment evaluates the performance of goals identified in the CAC's enforcement work plan as well as the program's adherence to Department of Pesticide Regulation (DPR) standards as described in the Pesticide Use Enforcement Standards Compendium.

I. Summary Report of Core Program Elements

A) Restricted Materials Permitting:

The restricted materials permitting program element was found to meet DPR standards and work plan goals.

B) Compliance Monitoring:

The compliance monitoring program element was found to meet DPR standards and work plan goals.

C) Enforcement Response:

The enforcement response program element was found to meet DPR standards and work plan goals.

Summary Statement:

Sacramento CAC's pesticide use program is currently effective.

II. Assessment of Core Program Effectiveness and Work Plan Goals

A) Restricted Materials Permitting:

1) Permit Issuance – Effective

The Sacramento CAC permit issuance procedures and performance were evaluated through observation and interviews of relevant staff and found to conform to DPR standards and expectations. The seven biologists that issue permits all possess Pesticide Regulation and Investigation and Environmental Monitoring licenses. The DPR evaluation determined that permits are:

- Issued only to qualified applicants;
- Signed by authorized persons;
- Issued for time periods allowed by law;
- Permit amendments follow approved procedures.

2) Site Evaluation – Effective

The Sacramento CAC site evaluation procedures were evaluated through observation, record review, and interviews of relevant staff and found to conform to DPR

standards and expectations. The CAC issued 347 agricultural permits and 73 nonagricultural permits during the subject year. The permits:

- Contained the necessary information;
- Identified treatment areas and sensitive areas that could be adversely impacted by the permitted uses;
- Identified mitigation measures and included conditions that addressed known hazards.

The CAC staff adequately evaluated permits and determined if the use of feasible alternatives was required. The program reviews all Notices of Intent (NOIs) in a timely manner and adequately monitored agricultural and nonagricultural permits utilizing pre-application site evaluations and use monitoring inspections.

B) Compliance Monitoring:

1) Inspections – Effective

The Sacramento CAC permit inspection procedures were evaluated through DPR oversight inspections and record review and found to conform to DPR standards and expectations. Seven biologists that possess Pesticide Regulation and Investigation and Environmental Monitoring licenses perform inspections. Inspections are performed according to the inspection strategy documented in the CAC's enforcement work plan. Inspections are performed according to DPR policies and procedures and inspections reports are complete and comprehensive. The inspections adequately provide the information necessary to successfully prosecute violations.

Inspections performed by the CAC were found to:

- Adequately address label, law and regulatory requirements;
- Include interviews of employers and employees as appropriate;
- Adequately document violations;
- Include appropriate follow-up inspections and procedures.

2) Investigations – Effective

The Sacramento CAC investigation procedures and performance were evaluated through observation, record review, and interviews of relevant staff and found to conform to DPR standards and expectations. The CAC investigates all complaints and complete their reports in a timely manner. The CAC refers and/or notifies DPR and other agencies as required.

Investigations are thorough and complete, submitted on approved forms and in the approved format. The investigations document violations and the CAC collects evidence according to DPR standards. The investigations adequately provide the information necessary to successfully prosecute violations.

C) Enforcement Response - Effective

The Sacramento CAC enforcement response was evaluated through observation, record review, and interviews of relevant staff and found to conform to DPR standards and expectations. The CAC's enforcement program was found to:

- Initiate the appropriate action when violations are identified;
- Sufficiently support compliance, enforcement and public protection actions;

- Ensure that due process requirements are met when taking an enforcement or permit action or when initiating a private applicator certification or registration refusal/ revocation.

III. Recommended Corrective Actions

No corrective actions are currently needed.

IV. Non-Core and Desirable Activities

- Sacramento CAC provides various training presentations throughout the year for companies, growers, and dealers, as well as conduct presentations and training for county agricultural biologists for other counties. For instance, CAC personnel participate in the Pesticide Inspector Residential Training in which they return and train other inspectors in other counties.
- The county also provides consultations to new business in the county. In these consultations, they essentially inspect the business to make sure they are in compliance with all pesticide laws and regulations. If a non-compliance is discovered, the county informs them on how to correct the problem and then performs a follow-up meeting in 60 days to make sure the non-compliances were corrected.
- Sacramento CAC is currently participating in the Automated Inspection Report System (AIRS) program.